



ORRICK, HERRINGTON & SUTCLIFFE LLP  
51 WEST 52ND STREET  
NEW YORK, NEW YORK 10019-6142  
tel +1-212-506-5000  
fax +1-212-506-5151  
WWW.ORRICK.COM

June 14, 2011

Joseph J. Frank  
212-506-5155  
jfrank@orrick.com

**BY ECF**

The Honorable Nathaniel M. Gorton  
United States District Court  
District of Massachusetts  
John Joseph Moakley United States Courthouses  
1 Courthouse Way – Suite 3110  
Boston, MA 02210

Re: *Cambridge Place Investment Management Inc. v. Morgan Stanley & Co., Inc., et al.*  
United States District Court – District of Massachusetts  
Case No. 1:10-cv-11376-NMG

Your Honor:

We are counsel for defendants Barclays Capital Inc, BCAP LLC and Securities Asset Backed Receivables LLC in the above-titled action. We write today on behalf of all Defendants in the above-captioned matter.

On June 13, 2011, Defendants filed an assented-to motion seeking leave to file a five-page reply (D.E. 239) in support their Expedited Motion for an Order to Show Cause Why Plaintiff Cambridge Place Investment Management, Inc. ("CPIM") Should Not Be Held in Violation of this Court's May 2, 2011 Order ("Defendants' Motion") (D.E. 232).

One of the grounds for submitting Defendants' Motion on an expedited basis was the deposition of CPIM pursuant to Fed. R. Civ. P. 30(b)(6) then scheduled for Thursday, June 16, 2011. Mindful of Defendants' current assented-to motion to file a reply by Wednesday, June 15, 2011, Defendants have re-scheduled CPIM's deposition for Friday, June 17, 2011 (the last day of the current schedule). CPIM has not objected to that re-notice.

Although granting Defendants' Motion and ordering CPIM to produce additional documents would require CPIM's deposition to be rescheduled, Defendants want to avoid any conflict between their request for a brief reply and this Court's ability to rule on Defendants' Motion prior to the scheduled deposition.



ORRICK

Hon. Nathaniel M. Gorton

June 14, 2011

Page 2

Respectfully submitted,

*J. Frank/mlc*

Joseph J. Frank

cc: Counsel of Record (by ECF)